

## *Joint Standing Committee on Education and Cultural Affairs*

**LD 84**

**Resolve, To Facilitate Implementation of the Sports Done Right Program**

**RESOLVE 211**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN	OTP-AM MAJ	S-438
CUMMINGS	OTP-AM MIN	S-677 ROTUNDO

LD 84, which was a concept draft pursuant to Joint Rule 208, proposed to implement the recommendations of the Interscholastic Athletics Task Force.

**Committee Amendment “A” (S-438)** proposed the majority report of the Joint Standing Committee on Education and Cultural Affairs. This amendment proposed changing the bill to a resolve and encouraging schools and communities in Maine to collaborate with the Maine Center for Sport and Coaching to develop the Sports Done Right program to promote positive sports experiences for Maine youth. It proposed appropriating \$100,000 to the Maine Center for Sport and Coaching to increase the center's capacity to offer training and expand the number of schools participating in the program.

**Committee Amendment “B” (S-439)** proposed the minority report of the Joint Standing Committee on Education and Cultural Affairs. It differed from the majority report in that it did not propose an appropriation. The minority report was not accepted.

**Senate Amendment “A” to Committee Amendment “A” (S-677)** proposed reducing the appropriation for the Sports Done Right program from \$100,000 to \$25,000.

### ***Enacted law summary***

Resolve 2005, chapter 211 encourages schools and communities in Maine to collaborate with the Maine Center for Sport and Coaching to develop the Sports Done Right program to promote positive sports experiences for Maine youth. It encourages the center to facilitate adoption of the Sports Done Right program in schools and communities. It encourages schools and communities to assess their athletic programs and consider participating in this program. It appropriates \$25,000 to the Maine Center for Sport and Coaching to increase the center's capacity to offer training and expand the number of schools participating in the program. It requires the Maine Center for Sport and Coaching to report to the joint standing committee of the Legislature having jurisdiction over education matters on implementation of the Sports Done Right program.

**LD 96**

**An Act To Increase the Adult Education State Subsidy by a Specific Percentage**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO	OTP-AM	S-63

LD 96 proposed to appropriate funds to increase the state subsidy for the adult education program within the Department of Education by 6% per year in fiscal years 2005-06 and 2006-07.

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**Committee Amendment “A” (S-63)** proposed to provide that the appropriation of funds to increase the state subsidy for the adult education program within the Department of Education would be reduced from 6% per year in the bill to 4% per year in fiscal years 2005-06 and 2006-07.

This bill and its adopted amendments were carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

While this bill was indefinitely postponed, the substance of the bill was addressed through a supplemental budget bill initiative, enacted as part of Public Law 2005, chapter 519, Part A, Section A-1, that provided funding to partially offset the deappropriation in Public Law 2005, chapter 12, Part XX to the adult education program.

**LD 200**                      **An Act To Improve Teaching and Learning Conditions in Maine Schools**                      **ONTP**

<u>Sponsor(s)</u> NORTON TURNER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 200, which was a concept draft pursuant to Joint Rule 208, proposed to alleviate burdens, caused by the workloads created because teachers have to satisfy school reform mandates, by enhancing teaching and learning conditions in Maine schools.

**LD 405**                      **Resolve, To Establish an Education Pilot Program for Registered Nurses**                      **INDEF PP**

<u>Sponsor(s)</u> MARTIN PERRY A	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-100
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LD 405 proposed to require the President of the Maine Community College System to establish a pilot program for the education of registered nurses who are interested in employment in long-term care. The pilot program would be operated at 4 community college locations across the State and would be funded equally from the Health Care Training Fund and from private donations.

**Committee Amendment “A” (S-100)** proposed to revise the pilot program proposed in the resolve to require the Maine Community College System to establish a pilot program for the education of individuals who are interested in enrolling as candidates in an entry-level nursing preparation program and who have also expressed the goal of attaining a license as a registered nurse. The proposed pilot program could also provide education for entry-level candidates for the nursing preparation program who are interested in future employment in long-term care as registered nurses. The proposed pilot program would be operated at 2 community college locations in the State. The amendment also proposed to require that a scholarship fund be established with private donations to provide eligible students with funds to participate in this pilot program and proposed to provide that the Maine Health Care Association and the Maine Community College System work together to provide leadership for raising these scholarship funds.

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This bill and its adopted amendments were carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

While this bill was indefinitely postponed, the substance of the bill was addressed through supplemental budget bill initiatives, that were enacted as part of Public Law 2005, chapter 519, Part A, Section A-1, that appropriated \$375,000 to the Maine Community College System and \$375,000 to the University of Maine System in fiscal year 2006-07, to increase the availability of education opportunities in nursing to address the shortage of nurses in the State.

**LD 979**

**An Act To Fund Youth Mentoring Programs**

**PUBLIC 639**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISCHER EDMONDS	OTP-AM	H-332 S-682 ROTUNDO

LD 979 proposed to establish the Maine Mentoring Partnership Grant Program administered by the Department of Education to provide grants to eligible entities for mentoring programs that provide guidance, support and encouragement to young people through the development of structured relationships. As proposed, grants would range from \$1,000 to \$75,000, depending on financial need.

**Committee Amendment “A” (H-332)** proposed to incorporate a fiscal note.

**Senate Amendment “A” (S-682)** proposed to change the program to which funds would be appropriated for the Maine Mentoring Partnership Grant Program, proposed to eliminate the appropriation in fiscal year 2005-06, and proposed to reduce the amount of a one-time appropriation in fiscal year 2006-07.

This bill and its adopted amendments were carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

### ***Enacted law summary***

Public Law 2005, chapter 639 establishes the Maine Mentoring Partnership Grant Program administered by the Department of Education through the Jobs for Maine's Graduates program to provide grants to eligible entities for mentoring programs that provide guidance, support and encouragement to young people through the development of structured relationships. Grants range from \$1,000 to \$75,000, depending on financial need. The law also provides a one-time General Fund appropriation of \$25,000 in fiscal year 2006-07 to the Jobs for Maine's Graduates program.

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**LD 1055**                      **An Act To Require Academic and Community Input into Major Decisions of the University of Maine System**                      **ONTP**

<u>Sponsor(s)</u> COWGER LERMAN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1055, which was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature, proposed to require the University of Maine System to seek input from parties, including administration and faculty members of campuses and colleges, municipalities and the Maine Community College System, that would be affected by a major policy decision by the University of Maine System.

**LD 1332**                      **Resolve, Directing the Department of Education To Establish a Secondary Vocational Education Facility in Washington County**                      **ONTP**

<u>Sponsor(s)</u> RAYE DUGAY	<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN	<u>Amendments Adopted</u>
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LD 1332, which was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature, proposed to direct the Department of Education to establish a secondary vocational education facility in Washington County.

**LD 1349**                      **An Act To Encourage Neighborhood Schools and To Minimize Sprawl Caused by School Siting**                      **ONTP**

<u>Sponsor(s)</u> PIOTTI MILLS P	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1349, which was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature, proposed to encourage the building of schools only in areas of a municipality that already are served or will be served by a public infrastructure, such as sewer and water systems, sidewalks and bicycle paths. It proposed to allow the State Board of Education to approve school construction only if the site is within an area that is a designated growth area, an area served by a public sewer system, a census-designated place or a compact area. For a site meeting none of these criteria, the bill proposed to require adoption of a comprehensive plan and zoning ordinance by the municipality before the state board may approve a project.

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**LD 1381**

**An Act To Update Teachers' Minimum Salaries**

**PUBLIC 635**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	OTP-AM A	S-577
DAVIS G	ONTP B	S-620 MITCHELL
	OTP-AM C	

LD 1381, which was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature, proposed to update the law that established a minimum teachers' salary, starting in 1987, of \$15,500, an amount that is now outdated and proposed to increase the amount to \$30,000. The bill also proposed to establish a method for future periodic updating of the minimum salary amount and proposed to outline procedures for the distribution of funds for teachers' salaries.

**Committee Amendment “A” (S-577)**, which was the majority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to strike and replace the bill to accomplish the following.

1. It proposed to establish a minimum salary for certified teachers at \$30,000 for the school year starting June 30, 2006.
2. It proposed to repeal statutory language that would limit the amount a school administrative unit could be required to increase the salary of any teacher to no more than \$500 in one school year.
3. It proposed to revise the statutes that define the categories of targeted funds within the Essential Programs and Services Funding Act by striking the term “assessment” and replacing it with the term “implementation of a standards-based system” to broaden this targeted fund definition to reflect the work that has been done to implement a standards-based system of educating children in kindergarten through grade 12.
4. It proposed to provide that, for fiscal year 2006-07 only, a portion of targeted funds to implement a standards-based system would be dedicated to the achievement of a minimum teacher salary of \$30,000 per year beginning in the school year starting after June 30, 2006.
5. It proposed to add an appropriations and allocations section that covers the cost of the increase in teachers' salaries.
6. It proposed to amend Public Law 2005, chapter 519, Part J to adjust the total allocation of funds to include the minimum teacher salary.

**Senate Amendment “A” to Committee Amendment “A” (S-620)** proposed to amend Committee Amendment “A” to accomplish the following.

1. It proposed to establish a minimum salary of \$27,000 for certified teachers for the school year starting after June 30, 2006.
2. It proposed to establish a minimum salary of \$30,000 for certified teachers for school years starting after June 30, 2007.
3. It proposed to provide that the intent of the Legislature would be that the State provide 100% of the funding from state General Fund appropriations to achieve the \$27,000 minimum salary for certified teachers for the

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2006-2007 school year and to achieve the \$30,000 minimum salary for certified teachers for the 2007-2008 school year, including dedicating a portion of the targeted funds to implement a standards-based system for fiscal year 2006-07.

4. It proposed to provide that, beginning in school year 2008-2009, the funding necessary to continue to provide the \$30,000 minimum salary for certified teachers who are employed by qualifying school administrative units must be included as an adjustment to the state share provided to qualifying school administrative units in the determination of the state and local shares calculated in accordance with the Essential Programs and Services Funding Act.
5. It proposed to provide that, in school year 2009-2010 and each subsequent school year, money from the state General Fund would be allocated to continue this adjustment for the minimum salary for certified teachers who were employed by qualifying school administrative units in school year 2008-2009 and who continued to be employed in the same school administrative units in the subsequent school year.
6. It proposed to indicate that it would be the intent of the Legislature that the 123rd Legislature appropriate at least \$2,118,308 in fiscal year 2007-08 to carry out the purpose of the Maine Revised Statutes, Title 20-A, section 13406 and section 15689, subsection 7, paragraph C.
7. It also proposed to indicate that the intent of the Legislature would be that the amount required to meet the employer share of teacher retirement costs attributable to achieving the minimum teacher salary in fiscal year 2006-07 and fiscal year 2007-08 be appropriated or allocated to the Maine State Retirement System in the appropriate fiscal year, including dedicating a portion of the targeted funds to implement a standards-based system in fiscal year 2006-07 to meet the employer share of teacher retirement costs attributable to achieving a \$27,000 minimum teacher salary in fiscal year 2006-07.
8. It proposed to amend Public Law 2005, chapter 519, Part J to adjust the total allocation of funds to be distributed in fiscal year 2006-07 under the Essential Programs and Services Funding Act to include the minimum teacher salary.

### ***Enacted law summary***

Public Law 2005, chapter 635 updates the law that established a minimum teachers' salary, starting in 1987, of \$15,500, an amount that is now outdated. The law accomplishes the following.

1. It increases the amount to \$27,000 for certified teachers for the school year starting after June 30, 2006; and establishes a minimum salary of \$30,000 for certified teachers for school years starting after June 30, 2007.
2. It repeals statutory language that limits the amount a school administrative unit may be required to increase the salary of any teacher to no more than \$500 in one school year.
3. It provides that the intent of the Legislature is that the State provide 100% of the funding from state General Fund appropriations to achieve the \$27,000 minimum salary for certified teachers for the 2006-2007 school year and to achieve the \$30,000 minimum salary for certified teachers for the 2007-2008 school year, including dedicating a portion of the targeted funds to implement a standards-based system for fiscal year 2006-07.
4. It provides that, beginning in school year 2008-2009, the funding necessary to continue to provide the \$30,000 minimum salary for certified teachers who are employed by qualifying school administrative units

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must be included as an adjustment to the state share provided to qualifying school administrative units in the determination of the state and local shares calculated in accordance with the Essential Programs and Services Funding Act.

5. It also provides that, in school year 2009-2010 and each subsequent school year, money from the state General Fund must be allocated to continue this adjustment for the minimum salary for certified teachers who were employed by qualifying school administrative units in school year 2008-2009 and who continue to be employed in the same school administrative units in the subsequent school year.
6. It indicates that it is the intent of the Legislature that the 123rd Legislature appropriate at least \$2,118,308 in fiscal year 2007-08 to carry out the purpose of the Maine Revised Statutes, Title 20-A, section 13406 and section 15689, subsection 7, paragraph C.
7. It also indicates that the intent of the Legislature is that the amount required to meet the employer share of teacher retirement costs attributable to achieving the minimum teacher salary in fiscal year 2006-07 and fiscal year 2007-08 be appropriated or allocated to the Maine State Retirement System in the appropriate fiscal year, including dedicating a portion of the targeted funds to implement a standards-based system in fiscal year 2006-07 to meet the employer share of teacher retirement costs attributable to achieving a \$27,000 minimum teacher salary in fiscal year 2006-07.
8. The law amends Public Law 2005, chapter 519, Part J to adjust the total allocation of funds to be distributed in fiscal year 2006-07 under the Essential Programs and Services Funding Act to include the minimum teacher salary.

**LD 1387**

**Resolve, To Promote Training Centers for Entrepreneurship**

**RESOLVE 210**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON J MITCHELL	OTP-AM	H-482 S-666 ROTUNDO

LD 1387, which was carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature, proposed to include entrepreneurship education principles in the next review of the system of learning results. It proposed to require the Chancellor of the University of Maine System and the President of the Maine Community College System to develop an entrepreneurship curriculum to be implemented at all University of Maine System and Maine Community College System campuses and to market community colleges as training centers for business owners and operators. This resolve also proposed to establish the Entrepreneurship Education Task Force comprised of the Commissioner of Education, Chancellor of the University of Maine System and the President of the Maine Community College System. This resolve further proposed to direct the Maine Community College System to implement a statewide entrepreneurship training program that covers key aspects of starting a business; and proposed an appropriation of \$370,000 over 2 years to make the program available to the widest possible audience.

**Committee Amendment “A” (H-482)** proposed to change the title of the resolve and remove the directives for curriculum development. It proposed to require that the Chancellor of the University of Maine System and the President of the Maine Community College System review course offerings relating to entrepreneurship and to promote their campuses as entrepreneur training centers. It also proposed to remove all the directives to the Commissioner of Education regarding entrepreneurship at the elementary and secondary levels.

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**Senate Amendment “A” to Committee Amendment “A” (S-666)** proposed to replace the resolve as amended by Committee Amendment “A”. It proposed to require that the University of Maine System and the Maine Community College System review course offerings relating to entrepreneurship and promote their campuses as entrepreneur training centers. It also proposed to require the Commissioner of Education, the Chancellor of the University of Maine System and the President of the Maine Community College System to meet regularly to review entrepreneurship education within elementary, secondary and postsecondary schools and to report on the state of entrepreneurship education in the State to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than February 1, 2007.

### ***Enacted law summary***

Resolve 2005, chapter 210 requires that the University of Maine System and the Maine Community College System review course offerings relating to entrepreneurship and promote their campuses as entrepreneur training centers. The resolve also requires the Commissioner of Education, the Chancellor of the University of Maine System and the President of the Maine Community College System to meet regularly to review entrepreneurship education within elementary, secondary and postsecondary schools and to report on the state of entrepreneurship education in the State to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than February 1, 2007.

**LD 1425**

### **An Act To Support the Efficient Implementation of Maine's Learning Results**

**PUBLIC 593**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS WESTON	OTP-AM MAJ ONTP MIN	H-913

LD 1425, which was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature, proposed to provide financial support to existing nongovernmental education organizations that create and manage statewide and regional networks that provide Maine learning results implementation support and services to Maine educators and school systems.

**Committee Amendment “A” (H-913)**, which was the majority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to strike and replace the bill to accomplish the following.

1. It proposed to alter the requirement that the Department of Education provide technical assistance to school administrative units in establishing their local assessment systems to clarify that the department should provide technical assistance in using assessments to inform teaching and learning.
2. It proposed to establish a moratorium for the 2006-2007 school year for those local assessment system activities that are designed to certify student achievement and clarifies that assessments that are used to inform teaching and learning are exempt from the moratorium.
3. It proposed to clarify that the moratorium established for the 2006-2007 school year for certain activities within each school administrative unit's local assessment system would not affect other statutory requirements related to the implementation of the system of learning results.



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4. It proposed to provide that the Department of Education should establish quality standards for the comprehensive state and local assessment system.
5. It proposed to provide that, for fiscal year 2006-07, the Commissioner of Education could expend and disburse up to \$1,000,000 of the \$2,000,000 appropriated by the Legislature to carry out the purposes of Public Law 1995, chapter 649, sections 6 and 7 to provide targeted professional development or technical assistance to increase the capacity of school administrative units to implement the system of learning results.

### ***Enacted law summary***

Public Law 2005, chapter 593 amends the statutory requirements related to the local assessment system that school administrative units must comply with in implementing the system of learning results. The law accomplishes the following.

1. It alters the requirement that the Department of Education provide technical assistance to school administrative units in establishing their local assessment systems to clarify that the department shall provide technical assistance in using assessments to inform teaching and learning.
2. It establishes a moratorium for the 2006-2007 school year for those local assessment system activities that are designed to certify student achievement and clarifies that assessments that are used to inform teaching and learning are exempt from the moratorium.
3. It clarifies that the moratorium established for the 2006-2007 school year for certain activities within each school administrative unit's local assessment system does not affect other statutory requirements related to the implementation of the system of learning results.
4. It provides that the Department of Education shall establish quality standards for the comprehensive state and local assessment system.
5. It provides that, for fiscal year 2006-07, the Commissioner of Education may expend and disburse up to \$1,000,000 of the \$2,000,000 appropriated by the Legislature to carry out the purposes of Public Law 1995, chapter 649, sections 6 and 7 to provide targeted professional development or technical assistance to increase the capacity of school administrative units to implement the system of learning results.

**LD 1640**

**An Act To Permit Charter Schools in Maine**

**ONTP**

Sponsor(s)  
WESTON

<u>Committee Report</u>	
ONTP	MAJ
OTP-AM	MIN

Amendments Adopted

LD 1640, which was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature, proposed to allow certain educational bodies to approve the establishment of charter schools, a new type of public school, to be a part of the State's program of public education. The charter school pilot program proposed to be established under this bill would permit up to 20 charter schools to be authorized during a 10-year pilot phase. A charter school would be approved for a renewable 5-year term, with a major review of the operations and achievements of the charter school prior to renewal.

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Charter schools could be conversions of existing public schools or school administrative units, new schools or existing nonprofit, nonsectarian schools that would convert to charter status. A chartering authority could be a local school board or an officially recognized unit of the University of Maine System or one of its universities, the Maine Community College System or one of its colleges or the Maine Maritime Academy.

Charter schools would be created to offer students and parents more education options to meet the diversity of learning needs of Maine's children. Charter schools would be open to all students equally, though they could specialize in serving a particular age group, a specific geographic area or a student population with specific needs. A charter school could not be affiliated with a religious institution and would be required to be nonsectarian in its programs, practices and policies.

At least 50% of the charter school's teaching staff would be required to hold appropriate teaching certificates. Teachers in charter schools would be employees of the charter school and would have the right to organize and bargain collectively in a separate unit or could choose to operate the charter school themselves as partners or members of a cooperative.

Charter schools would be funded by per-pupil allocations from state and local sources based on the essential programs and services model of school funding. The state and local per-pupil payments would be sent to each charter school or other public school chosen for each child. Funds for operating costs, transportation costs, vocational costs and special education costs would be required to follow each child to the public charter school chosen.

**Committee Amendment "A" (S-471)**, which was the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to accomplish the following.

1. It proposed to clarify that the central purposes of establishing charter schools would be to expand learning opportunities for disengaged students who are underserved by the current educational system and to increase the likelihood that students will excel in a standards-based educational system.
2. It proposed to provide that a chartering authority may grant a charter only to a charter school organizer whose proposal includes, as the primary purpose of the charter school, the intention to seek to expand learning opportunities for disengaged students who are underserved by the current educational system.
3. It proposed to provide that only those units of the University of Maine System that are authorized to confer baccalaureate degrees in education, as well as school boards, would be eligible to become chartering authorities, and it further proposed to provide that no more than 5 charter schools may be authorized by an eligible unit of the University of Maine System.
4. It proposed to expand the list of entities that are eligible to apply to be charter school organizers to include school administrative units, public alternative educational programs and schools that are approved by the Commissioner of Education in accordance with the Maine Revised Statutes, Title 20-A, section 2501 or section 7253.
5. It proposed to lower the limit established in the bill for the percentage of a school administrative unit's public school students per grade level that a charter school may enroll from 20% to 10%.
6. It proposed to require that all of the full-time teachers at a charter school hold an appropriate teaching certificate and meet the highly qualified standards for teachers in accordance with the provisions of the federal No Child Left Behind Act of 2001.

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7. It proposed to provide that the school administrative unit in which the student resides may retain up to 2% of the per-pupil allocation, which would otherwise follow the student to the charter school, to cover associated administrative costs.
8. It proposed to provide that charter schools may not be established as home-based programs.
9. It proposed to make a technical correction to change the date of the Maine State Retirement System review of the laws governing participating local districts' retirement plans to November 28, 2006.

This proposed amendment was not adopted.

**LD 1742**                      **An Act To Amend the Law Governing Warrant Funding for Education Warrants**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER NORTON	ONTP	

LD 1742, which was a concept draft pursuant to Joint Rule 208, proposed to amend the language regarding warrant funding to municipalities for education to ensure that the language regarding increases in spending is not presented in either a positive or negative manner, but rather is presented in a manner that is entirely neutral.

While this bill was indefinitely postponed, the substance of the bill was addressed through a supplemental budget bill initiative, enacted as part of Public Law 2005, chapter 519, Part AAAA, Section AAAA-17 and Section AAAA-18.

**LD 1745**                      **An Act To Provide State Funding for the Fingerprinting of School Personnel**                      **DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COURTNEY CAMPBELL	OTP-AM      MAJ ONTP          MIN	S-520

LD 1745 proposed to require the State to pay for fingerprinting of school personnel. The bill also proposed to require the State to reimburse those who have been fingerprinted and have paid for the fingerprinting.

**LD 1755**                      **An Act To Extend Tuition Waivers to Persons Who Have Resided in Subsidized Adoptive Care or Who Have Subsidized Guardians**                      **PUBLIC 471**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON CURLEY	OTP-AM	S-442

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LD 1755 proposed extending the availability of tuition waivers to include persons who had been in the custody of the Department of Health and Human Services and were in subsidized adoptive care or under subsidized permanency guardianship at the time those persons graduated from high school or successfully completed a GED.

**Committee Amendment “A” (S-442)** proposed to incorporate a fiscal note.

### *Enacted law summary*

Public Law 2005, chapter 471 extends the availability of tuition waivers to include persons who had been in the custody of the Department of Health and Human Services and were in subsidized adoptive care or under subsidized permanency guardianship under the Maine Revised Statutes, Title 22, section 4038-D at the time those persons graduated from high school or successfully attained a high school equivalency diploma.

<b>LD 1766</b>	<b>An Act To Further the Implementation of the Essential Programs and Services Funding Model</b>	<b>DIED BETWEEN BODIES</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	OTP-AM A	
NORTON	OTP-AM B	
	ONTP C	

LD 1766 proposed to provide for the continuing implementation of essential programs and services, or “EPS,” necessitated by current statutory requirements and proposed to make changes designed to achieve the goals of the EPS funding model of adequacy and equity in the funding of education for kindergarten to grade 12.

**Committee Amendment “A” (S-566)**, which was the majority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to make the following changes to the bill.

1. It proposed to clarify the language that must be included in the warrant article that is presented annually to the legislative body of each school administrative unit for the additional local appropriation that voters may elect to raise and expend for education.
2. It proposed to amend the definition of “predicted per-pupil transportation costs” to provide the most beneficial recognition of a school administrative unit's transportation costs beginning in fiscal year 2006-07. Under this new definition, a school unit's predicted per-pupil transportation costs would be the greater of the current pupil density model and the average of the pupil density model and an odometer mile model.
3. It proposed to provide a transition adjustment for fiscal year 2006-07 to provide additional state subsidy to those school administrative units that have experienced a significant increase in the property valuation as compared to the statewide average increase in property valuation from 2004 to 2005.
4. Beginning in fiscal year 2007-08, it proposed to provide for an adjustment to the minimum state allocation for certain outlier school administrative units whose state share of debt service costs were adversely impacted due to the changes in recognizing debt service costs with the enactment of Public Law 2005, chapter 2 related to the Essential Programs and Services Funding Act.

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5. It proposed to provide that, beginning no later than fiscal year 2007-08, gifted and talented education costs must be included in the operating cost calculations of the Essential Programs and Services Funding Act.
6. It proposed to provide that, beginning no later than fiscal year 2008-09, career and technical education costs must be included in the operating cost calculations of the Essential Programs and Services Funding Act.
7. It proposed to establish an amended review cycle for reviewing and proposing updates to cost components in the Essential Programs and Services Funding Act, and it clarifies that the Department of Education must present any recommended changes based on its review to the Legislature.

While this bill as amended by the committee amendment died between houses, the substance of the bill was addressed through a supplemental budget bill initiative, enacted as part of Public Law 2005, chapter 519, Part AAAA, which included the provisions for transition adjustments for eligible school administrative units that are included in this amendment and incorporates all of the statutory changes proposed in this amendment.

**LD 1772**

**An Act To Improve Early Childhood Special Education**

**PUBLIC 662  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	OTP-AM    MAJ ONTP      MIN	S-585

LD 1772 proposed to consolidate and reorganize the delivery of early childhood special education services including the child development services system to achieve efficiencies of cost and effectiveness of childhood special education programs.

**Committee Amendment “A” (S-585)**, which was the majority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to strike and replace the bill to accomplish the following.

1. It proposed to consolidate the provisions of early childhood special education, from birth to 2 years of age, and of special education, from 3 years of age to 20 years of age, into one unified set of statutory provisions for birth to 20 years of age.
2. It proposed to direct the Department of Education to amend the department rules established for the provision of special education services to eligible children from 5 years of age to 20 years of age into one unified set of department rules for the provision of special education programs and services for eligible infants, toddlers and children from birth to 20 years of age. The Department of Education would be directed to adopt emergency rules, which are designated as major substantive rules, which combine the department rules in rules chapter 101 established for the provision of special education services to eligible children from 5 years of age to 20 years of age with the department rules in rules chapters 180 and 182 established for the Child Development Services System.
3. It proposed to revise existing state statutes to align with the recently reauthorized federal Individuals with Disabilities Education Act, which was amended by the Federal Government in 2004.
4. It proposed to require that “related services” be provided at public expense to children with disabilities. “Related services” means special education transportation and such developmental, corrective and other

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related services, as defined by the commissioner, as are required to assist children with disabilities to benefit from their special education programs.

5. It further proposed to amend state statutes to ensure consistent terminology, including replacing the term exceptional student with the term child with a disability.
6. It proposed to reorganize the responsibilities of the Department of Education, the state intermediate educational unit and the 16 regional sites of the Child Development Services System in order to enhance the effectiveness of early childhood special education programs and to achieve efficiencies of cost to realize administrative savings within the Child Development Services System as required by Public Law 2005, chapter 12, Part YY.
7. It proposed to establish initiatives within the early childhood special education program that centralize fiscal administration, salary and benefits administration and data management policies and procedures beginning with the fiscal year starting on July 1, 2006.
8. It proposed to provide the Commissioner of Education with the duty to determine and approve the annual entitlement application and the budget presented by the respective boards of directors of the 16 regional sites within the Child Development Services System.
9. It proposed to establish the Subcommittee To Study Early Childhood Special Education, a 28-member subcommittee, to study early childhood special education programs and services provided for infants and young children from birth to 8 years of age. The subcommittee should function as a subcommittee of the Task Force on Early Childhood, an initiative of the Children's Cabinet that proposes to implement a state plan for comprehensive early childhood systems. The subcommittee should submit a report to the Commissioner of Education and the Commissioner of Health and Human Services and to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 31, 2007. The subcommittee would have the authority to submit legislation to the First Regular Session of the 123rd Legislature to implement the recommendations contained in its report.

### ***Enacted law summary***

Public Law 2005, chapter 662 consolidates and reorganizes the delivery of early childhood special education services including the child development services system, to achieve efficiencies of cost and effectiveness of childhood special education programs. The law accomplishes the following.

1. It consolidates the provisions of early childhood special education, from birth to 2 years of age, and of special education, from 3 years of age to 20 years of age, into one unified set of statutory provisions for birth to 20 years of age.
2. It directs the Department of Education to amend the department rules established for the provision of special education services to eligible children from 5 years of age to 20 years of age into one unified set of department rules for the provision of special education programs and services for eligible infants, toddlers and children from birth to 20 years of age. The Department of Education must adopt emergency rules, which are designated as major substantive rules, which combine the department rules in rules chapter 101 established for the provision of special education services to eligible children from 5 years of age to 20 years of age with the department rules in rules chapters 180 and 182 established for the Child Development Services System.

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3. It revises existing state statutes to align with the recently reauthorized federal Individuals with Disabilities Education Act, which was amended by the Federal Government in 2004.
4. It requires that “related services” be provided at public expense to children with disabilities. “Related services” means special education transportation and such developmental, corrective and other related services, as defined by the commissioner, as are required to assist children with disabilities to benefit from their special education programs.
5. It further amends state statutes to ensure consistent terminology, including replacing the term “exceptional student” with the term “child with a disability.”
6. It reorganizes the responsibilities of the Department of Education, the state intermediate educational unit and the 16 regional sites of the Child Development Services System in order to enhance the effectiveness of early childhood special education programs and to achieve efficiencies of cost to realize administrative savings within the Child Development Services System as required by Public Law 2005, chapter 12, Part YY.
7. It establishes initiatives within the early childhood special education program that centralize fiscal administration, salary and benefits administration and data management policies and procedures beginning with the fiscal year starting on July 1, 2006.
8. It provides the Commissioner of Education with the duty to determine and approve the annual entitlement application and the budget presented by the respective boards of directors of the 16 regional sites within the Child Development Services System.
9. It establishes the Subcommittee To Study Early Childhood Special Education, a 28-member subcommittee, to study early childhood special education programs and services provided for infants and young children from birth to 8 years of age. The subcommittee shall function as a subcommittee of the Task Force on Early Childhood, an initiative of the Children's Cabinet that proposes to implement a state plan for comprehensive early childhood systems. The subcommittee shall submit a report to the Commissioner of Education and the Commissioner of Health and Human Services and to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 31, 2007. The subcommittee has the authority to submit legislation to the First Regular Session of the 123rd Legislature to implement the recommendations contained in its report.

Public Law 2005, chapter 662 was enacted as an emergency measure effective May 30, 2006.

**LD 1780**

### **An Act Concerning Members of School Administrative Districts' Finance Committees**

**PUBLIC 496**

Sponsor(s)  
BRYANT B  
BRYANT M

Committee Report  
OTP

Amendments Adopted

LD 1780 proposed that the finance committee of a board of directors for a school administrative district would be made up of at a minimum 3 members. Current law sets the membership at 3 members.

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### ***Enacted law summary***

Public Law 2005, chapter 496 establishes that the finance committee of a board of directors for a school administrative district be made up of at a minimum 3 members.

**LD 1785**

**An Act To Promote Economic Development by Enhancing Educational Opportunities**

**P & S 69  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL NORTON	OTP-AM	S-497 S-669

LD 1785, which was a concept draft pursuant to Joint Rule 208, proposed to continue the college transitions pilot projects that are in place in 7 adult education programs.

**Committee Amendment “A” (S-497)** proposed directing the Department of Education to work towards expanding the number of adult education programs offering services to facilitate the successful transition to college. It proposed appropriating \$305,000 to fund continuation of existing programs and to initiate a phase-in of additional programs.

**Senate Amendment “A” to Committee Amendment “A” (S-669)** proposed deappropriating excess funds in the Homestead Property Tax Exemption Reimbursement program and in the Debt Service - Government Facilities Authority program and providing additional funding for the University of Maine System and the Maine Community College System.

### ***Enacted law summary***

Private and Special Law 2005, chapter 69 directs the Department of Education to work towards expanding the number of adult education programs offering services to facilitate the successful transition to college to 30 sites over a 5-year period. The law directs the Department of Education to work with interested parties in developing criteria for selecting sites and specifies that 7 pilot programs currently in operation serve as a model for programs at additional sites. The law further directs the Department of Education to provide a progress report no later than January 15, 2007, and a final report by January 15, 2008, to the joint standing committee of the Legislature having jurisdiction over education matters.

The law deappropriates excess funds in the Homestead Property Tax Exemption Reimbursement program and in the Debt Service - Government Facilities Authority program and appropriates an additional \$4,200,000 in ongoing funding for the University of Maine System and an additional \$1,600,000 in ongoing funding for the Maine Community College System.

Private and Special Law 2005, chapter 69 was enacted as an emergency measure effective June 2, 2006.



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**LD 1790**                      **An Act Concerning the Implementation of Cuts in Child Development Services**                      **ONTP**

<u>Sponsor(s)</u> WESTON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1790, which was a concept draft pursuant to Joint Rule 208, proposed to require a legislative review of and changes to the implementation of funding cuts in child development services that have been proposed by the Department of Education.

**LD 1798**                      **An Act Regarding Standardized Testing in Maine**                      **ONTP**

<u>Sponsor(s)</u> BRENNAN SAVIELLO		<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN		<u>Amendments Adopted</u>
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LD 1798 proposed to require the commissioner to submit any alternative assessment program to the Legislature for its approval. The bill also proposed to delay the implementation of the Scholastic Aptitude Test, as an alternative assessment for grade 11, until the 2007 school year. Current law requires the Commissioner of Education to establish a statewide assessment program to measure and evaluate achievement of learning results, but permits the commissioner to establish an alternative assessment for students in grade 11.

**LD 1807**                      **An Act To Establish the Penobscot Language Preservation Fund in the Department of Education**                      **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u> SOCKALEXIS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-780
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LD 1807 proposed to establish the Penobscot Language Preservation Fund and proposed to appropriate funds for the Department of Education to provide financial assistance to the Penobscot Indian Nation to develop a program to maintain and preserve the Penobscot language. The proposed language program must be maintained and managed under the auspices of the tribal cultural and historic preservation department. These funds would also be used to match other funding sources.

**LD 1818**                      **An Act To Allow School Districts To Recover Certain Funds**                      **ONTP**

<u>Sponsor(s)</u> RINES		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1818 proposed to provide that targeted funds be paid to the school administrative unit or private school that each student attends in addition to tuition rates calculated pursuant to the Maine Revised Statutes, Title 20-A, chapter 219.

**LD 1821**                      **An Act To Authorize Flexibility in School Attendance Requirements in Emergencies**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS J	ONTP	

LD 1821 proposed allowing the Commissioner of Education, in times of emergency, as declared by the Governor, to reduce the total number of instructional days a school is required to be in session. As proposed, the commissioner could also authorize a school board to offset, approximately, the reduction in instructional days through an increase in the length of the instructional day that the school is actually in session.

**LD 1826**                      **An Act To Clarify Provisions Governing Technical Education**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS	ONTP	

LD 1826 proposed to specify that the laws governing driver education courses do not apply to line worker training programs provided by the Maine Community College System.

**LD 1843**                      **An Act To Require Legislative Approval of Changes Made to the Educational Assessment Testing**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	ONTP	

LD 1843 proposed to require the commissioner to submit any alternative assessment program to the Legislature for its approval. Current law requires the Commissioner of Education to establish a statewide assessment program to measure and evaluate achievement of learning results. The current assessment program used for students in grades 4, 8 and 11 is the Maine Educational Assessment. The commissioner is permitted to establish an alternative assessment for students in grade 11.

**LD 1851**                      **An Act Relating to the Flanders Bay Community School District**                      **P & S 39  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BIERMAN	OTP	

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LD 1851 proposed to remove existing uncertainties with respect to the name and legal authority of the governing body of the Flanders Bay Community School District. The bill proposed to clarify the authority of the district school committee of the Flanders Bay Community School District to act as the governing body of the district; provide that the district is governed by the laws of the State applicable to community school districts; and validate and approve all prior actions and obligations of the district and its governing body.

### ***Enacted law summary***

Private and Special Law 2005, chapter 39 removes existing uncertainties with respect to the name and legal authority of the governing body of the Flanders Bay Community School District. The law clarifies the authority of the district school committee of the Flanders Bay Community School District to act as the governing body of the district, provides that the district is governed by the laws of the State applicable to community school districts, and validates and approves all prior actions and obligations of the district and its governing body.

Private and Special Law 2005, chapter 39 was enacted as an emergency measure effective March 17, 2006.

**LD 1867**                      **An Act To Amend the Elementary School Closing Process for  
School Administrative Districts and Community School Districts**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEDMAN	OTP-AM    MAJ ONTP       MIN	

LD 1867 proposed to eliminate the requirement for a referendum vote in a member municipality of a school administrative district or community school district where the school board has voted to close an elementary school. Under the proposed bill, a referendum vote could still be triggered by a petition signed by 10% of the number of voters in the affected municipality who voted in the last gubernatorial election.

**LD 1876**                      **An Act To Inform Parents of Students' Privacy Rights**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRINGTON BROMLEY	ONTP	

LD 1876 proposed to require all secondary schools subject to the No Child Left Behind Act of 2001 to provide each parent, or student who is 18 years of age, with specific information regarding the requirements of the No Child Left Behind Act. The federal No Child Left Behind Act of 2001 requires secondary schools that receive federal funding to provide a student's name, address and telephone listing to military recruiters and institutions of higher education. Schools are required to notify parents of the requirements of the No Child Left Behind Act, but this may be done through a letter in the student handbook. A parent may request that such information not be released. This bill proposed to require the school to provide each parent, or a student who is at least 18 years of age, with a form that allows the parent or student to prohibit the school from providing information about the student to military recruiters or institutions of higher education or both. The parent or student would notify the school of the parent's or student's option through a number of means, including e-mail and regular mail. In

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addition, this bill proposed that, if a school provides an emergency contact form to parents, it would include the opt-out form on the emergency contact form.

**LD 1902**

**An Act Concerning Energy Conservation in Schools**

**PUBLIC 499**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	H-791

LD 1902 proposed to raise the allowable contract cost for improving school energy conservation or combined energy conservation and air quality improvements from \$1,000,000 to \$2,000,000.

**Committee Amendment “A” (H-791)** proposed to retain the provision in the bill that raises the allowable contract cost for making school energy conservation or combined energy conservation and air quality improvements from \$1,000,000 to \$2,000,000. The amendment also proposed to decrease the length of the allowable contract from 20 years to 15 years and proposed to clarify that a school administrative unit could enter into such an improvement contract only for an existing school administrative unit facility. It further proposed to provide that a school administrative unit's costs for entering into such an improvement contract would not be applicable to school construction project costs, the debt service on which would be eligible for subsidy purposes under the Maine Revised Statutes, Title 20-A, section 15907.

### *Enacted law summary*

Public Law 2005, chapter 499 raises the allowable contract cost for improving school energy conservation or combined energy conservation and air quality improvements from \$1,000,000 to \$2,000,000. The law also decreases the length of the allowable contract from 20 years to 15 years and clarifies that a school administrative unit may enter into such an improvement contract only for an existing school administrative unit facility. The law further provides that a school administrative unit's costs for entering into such an improvement contract are not applicable to school construction project costs, the debt service on which is eligible for subsidy purposes under the Maine Revised Statutes, Title 20-A, section 15907.

**LD 1903**

**An Act To Restore the Cost-sharing Agreement Established by the  
Voters of Maine School Administrative District No. 40**

**P & S 38  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLER DOW	OTP-AM	H-771

LD 1903 proposed to reestablish the cost-sharing agreement established in 1992 at a referendum election by the voters of Maine School Administrative District No. 40. That cost-sharing formula apportions all the local share contributions to the school district on the basis of 50% of each town's valuation and 50% of each town's student population. The bill also proposed to preserve the right of the voters of the school district to amend that formula in the future according to the procedures to amend cost-sharing arrangements that are available under current law. Locally approved school administrative district cost-sharing agreements were preempted by Public Law 2003, chapter 712, which first became effective for the 2005-06 school fiscal year. In some districts, that preemption

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caused significant changes in the local financial obligations among the municipalities participating in those school districts.

**Committee Amendment “A” (H-771)** proposed to incorporate a fiscal note.

### *Enacted law summary*

Private and Special Law, chapter 38 reestablishes the cost-sharing agreement established in 1992 at a referendum election by the voters of Maine School Administrative District No. 40. That cost-sharing formula apportions all the local share contributions to the school district on the basis of 50% of each town's valuation and 50% of each town's student population. The law also preserves the right of the voters of the school district to amend that formula in the future according to the procedures to amend cost-sharing arrangements that are available under current law.

Private and Special Law 2005, chapter 38 was enacted as an emergency measure effective March 17, 2006.

**LD 1936**

**An Act To Improve the Oral Health of Maine's Children**

**PUBLIC 653**

Sponsor(s)  
SULLIVAN  
SMITH N

Committee Report  
OTP-AM

Amendments Adopted  
S-498  
S-672 ROTUNDO

LD 1936 proposed expanding the health screenings provided to students to include oral health assessments.

**Committee Amendment “A” (S-498)** proposed replacing the bill. It proposed directing the Commissioner of Health and Human Services, in consultation with the Commissioner of Education, to develop and implement a grant program to award funds to nonprofit organizations to provide oral health assessments and dental services to eligible children. The amendment also proposed adding an appropriation of \$150,000 in fiscal year 2006-07 for the grant program.

**Senate Amendment “A” to Committee Amendment “A” (S-672)** proposed reducing the amount transferred annually from General Fund undedicated revenue to \$25,000.

### *Enacted law summary*

Public Law 2005, chapter 653 directs the Commissioner of Health and Human Services, in consultation with the Commissioner of Education, to develop and implement a grant program to award funds to nonprofit organizations to provide oral health assessments and dental services to eligible children. The law directs the Commissioner of Education and the Commissioner of Health and Human Services to convene a task force to assist in developing and implementing the grant program. The task force is charged with advising the commissioners on models for the provision of oral health assessments in the schools or that are facilitated by school administrative units and criteria to use in selecting among applicants for grants and schools to participate. The commissioners are required to report back to the joint standing committee of the Legislature having jurisdiction over education matters. Beginning in fiscal year 2006-07, the law also provides for an annual transfer of \$25,000 from General Fund undedicated revenues to fund the grant program.

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**LD 1952**

### **An Act To Prevent the Use of Performance-enhancing Substances by Maine Student Athletes**

**PUBLIC 674**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN CUMMINGS	OTP-AM	S-479 S-673 ROTUNDO

LD 1952 proposed requiring the Department of Health and Human Services to establish a performance-enhancing substance list, to publish the list on its publicly accessible website and to notify the Department of Education of the list. The bill also proposed requiring sport coaches, athletic directors and physical education teachers to be trained in the dangers of the use of performance-enhancing substances. It proposed prohibiting the use of performance-enhancing substances by students participating in interscholastic sports..

**Committee Amendment “A” (S-479)** proposed requiring the Director of the Office of Substance Abuse within the Department of Health and Human Services to notify the Maine School Management Association and the Maine Principals' Association of the initial banned performance-enhancing substances list and changes to that list. It proposed requiring the Department of Education to notify all school administrative units with students who participate in sports of the list. The amendment proposed removing the requirement that the Department of Education provide training for sports coaches, athletic directors and physical education teachers.

**Senate Amendment “A” to Committee Amendment “A” (S-673)** proposed adding a mandate preamble to the bill.

#### ***Enacted law summary***

Public Law 2005, chapter 674 requires the Director of the Office of Substance Abuse within the Department of Health and Human Services to notify the Maine School Management Association and the Maine Principals' Association of the initial banned performance-enhancing substances list and changes to that list. It requires the Department of Education to notify all school administrative units with students in grades 9 to 12 who participate in sports of the list. It requires the Department of Education to request assistance from a statewide organization of principals in distributing information regarding the dangers associated with performance-enhancing substances and requires school administrative units to update their policies concerning performance-enhancing substances. A person violating provisions relating to banned performance-enhancing substances is subject to sanctions in accordance with local policies.

**LD 1953**

### **An Act Regarding the Sharing of Costs in Certain School Districts**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO RICHARDSON J	OTP-AM MAJ ONTP MIN	S-495

LD 1953 was proposed as emergency legislation that would provide an adjustment to certain member municipalities in school administrative districts and community school districts when one or more member municipalities, but not all the school district's member municipalities, would have a local contribution that is below the mill rate expectation established pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A. The bill proposed to provide an adjustment equivalent to the adjustments provided to the state share of the total

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allocation for school administrative units that are determined to be minimum state allocation receivers pursuant to Title 20-A, section 15689, except that the transition percentages in Title 20-A, section 15689, subsection 1, paragraph B would be multiplied by the percentage of calendar year resident pupils in the member municipality.

**Committee Amendment “A” (S-495)**, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to retain the provision contained in the bill that recognizes the special education costs of certain member municipalities that are determined to be minimum state allocation receivers pursuant to the Maine Revised Statutes, Title 20-A, section 15689, subsection 1, but would delay the implementation of the adjustment proposed in the bill until fiscal year 2007-08.

The amendment also proposed to extend and modify the adjustment provided by Private and Special Law 2005, chapter 23, section 1 for fiscal year 2005-06 to fiscal year 2006-07 for certain school administrative districts and community school districts that have member municipalities with local contributions that would be below the maximum mill rate expectation but that would be adversely affected as a result of the cost-sharing mechanism established pursuant to Title 20-A, section 15688. The amendment proposed to modify the adjustment in fiscal year 2006-07 to recognize 35% of the special education costs of eligible school districts as compared to 25% of the special education costs that were recognized by the adjustment provided in fiscal year 2005-06.

While this bill as amended by the committee amendment was indefinitely postponed, the substance of the bill was addressed through a supplemental budget bill initiative, enacted as part of Public Law 2005, chapter 519, Part AAAA, Sections AAAA-13 and AAAA-14.

**LD 1954**

**An Act To Invest in the Future of Maine Citizens**

**PUBLIC 657**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN NORTON	OTP-AM	S-586 S-702 ROTUNDO

LD 1954 proposed to provide resources to improve the health, well-being, education and economic security of Maine citizens by enhancing and expanding early education opportunities, after-school initiatives, early college programs for secondary school students and access to higher education opportunities through a guaranteed tuition program for undergraduate students enrolled at the University of Maine System and a tuition waiver program for resident students enrolled at the Maine Community College System.

The bill proposed to authorize a prioritized series of transfers from the unappropriated surplus of the General Fund at the end of fiscal year 2006-07 and subsequent fiscal years to these various prekindergarten to grade 14 educational programs within the State.

**Committee Amendment “A” (S-586)** proposed to strike and replace the bill to accomplish the following.

1. Part A proposed to amend the eligibility criteria of the early college program for secondary school students. It proposed to provide that a student may take a postsecondary course if the student receives a recommendation from the student's school administration or from a teacher at the student's school. It also proposed to provide that the Commissioner of Education may pay for costs for students to take postsecondary courses at eligible institutions. All of the changes in Part A propose to duplicate Public Law 2005, chapter 519, Part XX, which was enacted March 29, 2006. The current law now includes the provisions for the early

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college programs for secondary school students that are included in this amendment, and incorporates all of the statutory changes proposed in this amendment.

2. Part B proposed to establish the After-school Program Fund as an ongoing program to be implemented and administered by the Department of Education. The amendment proposed to authorize the Commissioner of Education to establish standards and approval procedures for the program fund, including the adoption of rules to implement the program fund.

**Senate Amendment “A” to Committee Amendment “A” (S-702)** proposed to establish an after-school program fund. This amendment also proposed to strike Part A since the changes made by that Part have already been enacted in Public Law 2005, chapter 519, Part XX.

### *Enacted law summary*

Public Law 2005, chapter 657 establishes the After-school Program Fund as an ongoing program to be implemented and administered by the Department of Education. The law authorizes the Commissioner of Education to establish standards and approval procedures for the program fund, including the adoption of rules to implement the program fund. The law also appropriates \$25,000 in General Funds in fiscal year 2006-07 to the After-school Program Fund.

**LD 1958**

**An Act To Create a Children's Education Advocate**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL NORTON	OTP-AM	S-475

LD 1958 proposed to require the Department of Education, or the Department of Education and the Department of Health and Human Services jointly, to fund an advocacy position within the Disability Rights Center, the State's designated protection and advocacy agency, to provide advocacy services for children with serious disabilities in education-related matters. This service was formerly provided through a vacated and unfilled position in the Department of Health and Human Services, Office of Advocacy Services. The proposed contract with the Disability Rights Center would replace the Office of Advocacy position and services. The Disability Rights Center is the designated protection and advocacy agency for persons with disabilities pursuant to the Maine Revised Statutes, Title 5, chapter 511 and under the Developmental Disabilities Assistance and Bill of Rights Act, 42 United States Code, Section 15002 et seq. and 45 Code of Federal Regulations, Part 1386, Subpart B.

**Committee Amendment “A” (S-475)** proposed to strike and replace the bill to provide an appropriation directly to the Disability Rights Center, the State's designated protection and advocacy agency for persons with disabilities pursuant to the Maine Revised Statutes, Title 5, chapter 511. These proposed funds must be used to provide advocacy services for children with serious disabilities in education-related matters.

While this bill as amended by the committee amendment was indefinitely postponed, the substance of the bill was addressed through a supplemental budget bill initiative, enacted as part of Public Law 2005, chapter 519, Part WWW, that provided a \$64,782 General Fund appropriation in fiscal year 2006-07 to the Disability Rights Center for advocacy services for children with serious disabilities in education-related matters.



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**LD 1963**                      **Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel, Part I and Part II, a Major Substantive Rule That Has Been Provisionally Adopted by the Department of Education**                      **RESOLVE 182 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

LD 1963 proposed to provide for legislative review of portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel, Part I and Part II, a major substantive rule of the Department of Education.

### *Enacted law summary*

Resolve 2005, chapter 182 provides for legislative review of portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel, Part I and Part II, a major substantive rule of the Department of Education.

Resolve 2005, chapter 182 was enacted as an emergency measure effective April 12, 2006.

**LD 1964**                      **An Act To Assist Visually Impaired Persons and Persons with Disabilities in Obtaining Information Regarding Current Events**                      **PUBLIC 651**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON J	OTP-AM	H-788 S-689 ROTUNDO

LD 1964 proposed to direct the State Librarian to enter into an agreement with a qualified entity to provide an accessible electronic information service for eligible blind and disabled persons.

**Committee Amendment “A” (H-788)** proposed to define and uses the term “eligible individuals” instead of “blind and disabled persons.” It proposed to authorize but does not require the State Librarian to enter into an agreement for service. It proposed to remove unnecessary language.

**Senate Amendment “A” (S-689)** proposed to strike the appropriations and allocations section and add a new appropriations and allocations section.

### *Enacted law summary*

Public Law 2005, chapter 651 authorizes the State Librarian to enter into an agreement with a qualified entity to provide an accessible electronic information service for eligible blind and disabled persons. The law also provides a General Fund appropriation of \$5,000 in fiscal year 2006-07.

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**LD 1978**

**An Act To Amend the Maine State Grant Program**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL NORTON	ONTP	

LD 1978 proposed to allow the Finance Authority of Maine to allocate up to 15%, rather than 5%, of Maine State Grant Programs funds to make need-based grants to part-time students.

**LD 1979**

**An Act To Allow the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf To Lease Classroom Space to Independent Schools**

**PUBLIC 600  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS MITCHELL	OTP-AM	H-996

LD 1979 proposed to specifically provide authority to the Governor Baxter School for the Deaf and the Maine Educational Center for the Deaf and Hard of Hearing to lease facilities of the school to independent accredited elementary schools. Funds from this type of proposed lease would be used to benefit the consultation services provided to families of children from birth to 5 years of age who are deaf or hard-of-hearing students, consulting services to school administrative units that serve school-age deaf or hard-of-hearing children and services provided through the parent-infant-toddler program, the preschool program and the communication garden program provided at the center school.

**Committee Amendment “A” (H-996)** proposed to strike and replace the bill. The amendment proposed to provide authority to the Department of Administrative and Financial Services to enter into lease agreements for unused school facilities on Mackworth Island. The proposed lease arrangements and funds received from this type of lease would be used in a manner that is consistent with the deed of gift from Governor Baxter and applicable state law regarding excess state property, with any remaining funds being retained by the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf for statutorily authorized programs.

### ***Enacted law summary***

Public Law 2005, chapter 600 provides authority to the Department of Administrative and Financial Services to enter into lease agreements for unused school facilities on Mackworth Island. The law provides that lease arrangements and funds received from this type of lease must be used in a manner that is consistent with the deed of gift from Governor Baxter and applicable state law regarding excess state property, with any remaining funds being retained by the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf for statutorily authorized programs.

Public Law 2005, chapter 600 was enacted as an emergency measure effective April 27, 2006.

## *Joint Standing Committee on Education and Cultural Affairs*

**LD 1988**

**An Act To Raise the Debt Limit of the City of Brewer High School District**

**P & S 42**

Sponsor(s)  
FISHER  
ROSEN R

Committee Report  
OTP

Amendments Adopted

LD 1988 proposed to amend the private and special law that established the City of Brewer High School District to increase the debt limit of the district from \$5,000,000 to 7.5% of the most recent state valuation of the City of Brewer. This bill proposed to clarify the authority of the City of Brewer to convey property to the district and proposed to authorize the district to enter into agreements with the Federal Government, the Maine Municipal Bond Bank and others to help finance school construction projects in the City of Brewer. This bill also proposed to clarify the authority of the district to renovate and repair its school buildings.

### ***Enacted law summary***

Private and Special Law, chapter 42 amended the private and special law that established the City of Brewer High School District to increase the debt limit of the district from \$5,000,000 to 7.5% of the most recent state valuation of the City of Brewer. The law clarifies the authority of the City of Brewer to convey property to the district and authorizes the district to enter into agreements with the Federal Government, the Maine Municipal Bond Bank and others to help finance school construction projects in the City of Brewer. The law also clarifies the authority of the district to renovate and repair its school buildings.

**LD 2012**

**An Act Amending and Restating the Charter of The President and Trustees of Colby College**

**P & S 45  
EMERGENCY**

Sponsor(s)  
GAGNON  
CANAVAN

Committee Report  
OTP-AM

Amendments Adopted  
S-501

LD 2012 proposed to amend the charter of The President and Trustees of Colby College to increase the maximum number of trustees from 31 to 35 and to increase the minimum number of trustees from 21 to 24. The bill proposed to clarify that the President of Colby College is a trustee ex officio. The bill also proposed to update the language concerning removal of trustees in a manner consistent with Maine law and repeal Private and Special Law 1959, chapter 42.

**Committee Amendment “A” (S-501)** proposed to add an emergency preamble and an emergency clause to the bill.

### ***Enacted law summary***

Private and Special Law, chapter 45 amends the charter of The President and Trustees of Colby College to increase the maximum number of trustees from 31 to 35 and to increase the minimum number of trustees from 21 to 24. The law clarifies that the President of Colby College is a trustee ex officio. The law also updates the language concerning removal of trustees in a manner consistent with Maine law and repeals Private and Special Law 1959, chapter 42.

## *Joint Standing Committee on Education and Cultural Affairs*

Private and Special Law, chapter 45 was enacted as an emergency measure effective March 30, 2006.

<b>LD 2069</b>	<b>Resolve, Regarding Legislative Review of the Final Repeal of Portions of Chapter 130: Rules for Equivalent Instruction Programs, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education</b>	<b>RESOLVE 171 EMERGENCY</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 2069 proposed to provide for legislative review of the final repeal of Chapter 130: Rules for Equivalent Instruction Programs, a major substantive rule of the Department of Education that had been provisionally repealed.

### *Enacted law summary*

Resolve 2005, chapter 171 provides for legislative review of the final repeal of Chapter 130: Rules for Equivalent Instruction Programs, a major substantive rule of the Department of Education that has been provisionally repealed.

Resolve 2005, chapter was enacted as an emergency measure effective April 7, 2006.

<b>LD 2103</b>	<b>An Act To Implement the Recommendations of the Joint Standing Committee on Education and Cultural Affairs Regarding Review of the State Board of Education under the State Government Evaluation Act</b>	<b>PUBLIC 611</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u> H-1017 NORTON
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LD 2103, which was introduced without reference to a committee, proposed to implement the recommendations of the Joint Standing Committee on Education and Cultural Affairs pursuant to its review of the State Board of Education under the State Government Evaluation Act. It proposed to clarify that the authority of the State Board of Education with respect to the development or implementation of cooperative agreements among school administrative units is advisory in nature and proposed to replace the term “school consolidation” with “school administrative unit configuration.”

**House Amendment “A” (H-1017)** proposed to remove language relating to the power and duty of the State Board of Education to develop a school administrative unit configuration plan that includes criteria for evaluating opportunities for reconfiguration and, if desirable, develop a time line for implementation.

### *Enacted law summary*

## *Joint Standing Committee on Education and Cultural Affairs*

Public Law 2005, chapter 611 implements the recommendations of the Joint Standing Committee on Education and Cultural Affairs pursuant to its review of the State Board of Education under the State Government Evaluation Act. The law clarifies that the authority of the State Board of Education with respect to the development or implementation of cooperative agreements among school administrative units is advisory in nature and replaces the term “school consolidation” with “school administrative unit configuration.”

**LD 2104**

**An Act Relating to Secondary School Construction Projects**

**PUBLIC 595**

Sponsor(s)

Committee Report

Amendments Adopted

LD 2104, which was introduced without reference to a committee, proposed to make rules adopted by the State Board of Education pertaining to the approval of major capital secondary school construction projects major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. The bill proposed to make this change effective January 1, 2007.

### ***Enacted law summary***

Public Law, chapter 595 provides that rules adopted by the State Board of Education pertaining to the approval of major capital secondary school construction projects are major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. The law makes this change effective January 1, 2007.

**LD 2105**

**An Act To Implement the Recommendations of the Joint Standing Committee on Education and Cultural Affairs Regarding the Telecommunications Relay Services Advisory Council Pursuant to Reviews Conducted under the State Government Evaluation Act**

**PUBLIC 605**

Sponsor(s)

Committee Report

Amendments Adopted  
S-579 MITCHELL

LD 2105, which was introduced without reference to a committee, proposed to implement the recommendations of the Joint Standing Committee on Education and Cultural Affairs pursuant to its review of the Telecommunications Relay Services Advisory Council under the State Government Evaluation Act. It proposed to give the Telecommunications Relay Services Advisory Council the authority to enter into contracts with telecommunications relay service providers for the purpose of providing telecommunications services to persons who are deaf, hearing impaired or speech impaired. Because of this proposed contracting authority, the advisory council would be reallocated from its current status in the Maine Revised Statutes, Title 5, section 12004-I as an advisory board with minimal authority to Title 5, section 12004-G, which lists general government boards with contracting authority. The bill also proposed to change the joint standing committee of the Legislature having jurisdiction over the review of the advisory council under the State Government Evaluation Act from the joint standing committee of the Legislature having jurisdiction over education and cultural affairs to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters and proposed to require that the advisory council be reviewed by that committee in 2013.

## *Joint Standing Committee on Education and Cultural Affairs*

**Senate Amendment “A” (S-579)** proposed to correct a reference in existing law to the entity that oversees and manages the Emergency Services Communication Bureau from the Department of Public Safety to the Public Utilities Commission.

### *Enacted law summary*

Public Law 2005, chapter 605 implements the recommendations of the Joint Standing Committee on Education and Cultural Affairs pursuant to its review of the Telecommunications Relay Services Advisory Council under the State Government Evaluation Act. The law authorizes the Telecommunications Relay Services Advisory Council to enter into contracts with telecommunications relay service providers for the purpose of providing telecommunications services to persons who are deaf, hearing impaired or speech impaired. Because of this new contracting authority, the advisory council is reallocated from its current status in the Maine Revised Statutes, Title 5, section 12004-I as an advisory board with minimal authority to Title 5, section 12004-G, which lists general government boards with contracting authority. The law also changes the joint standing committee of the Legislature having jurisdiction over the review of the advisory council under the State Government Evaluation Act from the joint standing committee of the Legislature having jurisdiction over education and cultural affairs to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters and requires that the advisory council be reviewed by that committee in 2013. Finally, the law corrects a reference in existing law to the entity that oversees and manages the Emergency Services Communication Bureau from the Department of Public Safety to the Public Utilities Commission.

**LD 2112**

**Resolve, To Extend the Reporting Deadline for the Task Force on  
Citizenship Education**

**RESOLVE 204**

Sponsor(s)

Committee Report

Amendments Adopted

LD 2112, a resolve reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Resolve 2003, chapter 143, Part B, section 2, proposed to reestablish the Task Force on Citizenship Education and extend the deadline for its final report to December 7, 2006. The resolve also proposed to provide that the joint standing committee of the Legislature having jurisdiction over education matters may report out a bill to the First Regular Session of the 123rd Legislature to implement the recommendations of the task force.

### *Enacted law summary*

Resolve 2005, chapter 204 reestablishes the Task Force on Citizenship Education and extends the deadline for its final report to December 7, 2006. The resolve also provides that the joint standing committee of the Legislature having jurisdiction over education matters may report out a bill to the First Regular Session of the 123rd Legislature to implement the recommendations of the task force.

## *Joint Standing Committee on Education and Cultural Affairs*

**LD 2113**

### **An Act To Extend the Alternative Delivery Methods Pilot Program for Certain School Construction Projects**

**P & S 52**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP      MAJ	
	OTP-AM      MIN	

LD 2113, a bill reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Private and Special Law 2001, chapter 54, section 3, proposed to extend the pilot program for using alternative delivery methods for school construction by authorizing an additional 10 school construction projects. The proposed additional projects would be locally funded school construction projects, would have a minimum total project cost of \$2,500,000 and would have an executed contract between the school administrative unit and the project designer dated prior to August 1, 2009.

The bill also proposed to direct the assessment team to review these additional projects and report its findings and recommendations on the pilot project no later than December 12, 2008 to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs would be authorized to report out a bill to the First Regular Session of the 124th Legislature to implement the recommendations of the assessment team.

#### ***Enacted law summary***

Private and Special Law 2005, chapter 52 extends the pilot program for using alternative delivery methods for school construction by authorizing an additional 10 school construction projects. The additional projects must be locally funded school construction projects, must have a minimum total project cost of \$2,500,000 and must have an executed contract between the school administrative unit and the project designer dated prior to August 1, 2009.

The law also directs the assessment team to review these additional projects and report its findings and recommendations on the pilot project no later than December 12, 2008 to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill to the First Regular Session of the 124th Legislature to implement the recommendations of the assessment team.

**LD 2114**

### **An Act To Implement Organizational Improvements to the Legislative Youth Advisory Council**

**PUBLIC 616**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL		

LD 2114, which was introduced without reference to a committee, proposed to accomplish the following.

Part A proposed to repeal a requirement that the Department of Education transfer \$30,000 to the Legislature to fund certain activities of the Legislative Youth Advisory Council. In lieu of that transfer, this bill instead proposed to require that the Department of Education use existing Other Special Revenue funds to pay for 2 statewide public forums of the council between July 1, 2006 and November 30, 2006. Completion of the 2 public

## ***Joint Standing Committee on Education and Cultural Affairs***

forums required in this bill and payment by the department of all associated costs would constitute fulfillment of the duties of the department and the council pertaining to public forums required under Resolve 2003, chapter 143, Part A, sections 2 and 3. A summary of these forums, along with any recommendations from those forums, would be included in the council's report to the Legislature in January 2007. Part A also proposed to add a provision prohibiting any public or private entity from seeking any outside funds to support activities of the council without first obtaining the prior written approval from the Legislative Council or its executive director.

Part B proposed to simplify the appointment process, proposed to change the council's reporting requirements from an annual report to the full Legislature to a biennial report to the Legislative Council, proposed to change the number of youth members on the council from 18 to 16, proposed to require youth members to be at least 16 years of age at the time of appointment and proposed to require that all youths and legislative members be appointed or reappointed at the start of each new Legislature. Transition provisions are also proposed to allow current youth members to serve the full 2-year term for which they were appointed under the previous law.

### ***Enacted law summary***

Public Law 2005, chapter 616 implements organizational improvements related to the operations of the Legislative Youth Advisory Council. The law accomplishes the following.

Part A repeals a requirement that the Department of Education transfer \$30,000 to the Legislature to fund certain activities of the Legislative Youth Advisory Council. In lieu of that transfer, this bill instead requires that the Department of Education use existing Other Special Revenue funds to pay for 2 statewide public forums of the council between July 1, 2006 and November 30, 2006. Completion of the 2 public forums required in this bill and payment by the department of all associated costs constitute fulfillment of the duties of the department and the council pertaining to public forums required under Resolve 2003, chapter 143, Part A, sections 2 and 3. A summary of these forums, along with any recommendations from those forums, will be included in the council's report to the Legislature in January 2007. Part A also adds a provision prohibiting any public or private entity from seeking any outside funds to support activities of the council without first obtaining the prior written approval from the Legislative Council or its executive director.

Part B simplifies the appointment process, changes the council's reporting requirements from an annual report to the full Legislature to a biennial report to the Legislative Council, changes the number of youth members on the council from 18 to 16, requires youth members to be at least 16 years of age at the time of appointment and requires that all youths and legislative members be appointed or reappointed at the start of each new Legislature. Transition provisions are included that allow current youth members to serve the full 2-year term for which they were appointed under the previous law.